

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DOCKET NUMBER	ANTICIPATED CLASSIFICATION OF THIS APPLICATION:		PRIOR APPLICATION	
	CLASS	SUBCLASS	EXAMINER	ART UNIT
13033.4USC5	128	898000	N. VENIAMINOV	3736

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV372667675US

Date of Deposit: April 14, 2004

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By:

Name: Teresa Anderson

22141 U.S. PTO
10/825249

041404

CONTINUATION APPLICATION UNDER 37 C.F.R. § 1.53(b)

Mail Stop PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

This is a request for filing a continuation application under 37 CFR § 1.53(b) of Serial No. 10/394,887, filed on March 21, 2003 entitled METHOD AND APPARATUS TO TREAT CONDITIONS OF THE NASO-PHARYNGEAL AREA by the following inventor(s):

Full Name Of Inventor	Family Name KNUDSON	First Given Name MARK	Second Given Name B.
Residence & Citizenship	City SHOREVIEW	State or Foreign Country MINNESOTA	Country of Citizenship USA
Post Office Address	Post Office Address 1309 WEST ROYAL OAKS DRIVE	City SHOREVIEW	State & Zip Code/Country MINNESOTA 55126/USA
Full Name Of Inventor	Family Name TWEDEN	First Given Name KATHERINE	Second Given Name S.
Residence & Citizenship	City MAHTOMEDI	State or Foreign Country MINNESOTA	Country of Citizenship USA
Post Office Address	Post Office Address 1175 ASHLEY LANE	City MAHTOMEDI	State & Zip Code/Country MINNESOTA 55115/USA
Full Name Of Inventor	Family Name CONRAD	First Given Name TIMOTHY	Second Given Name R.
Residence & Citizenship	City EDEN PRAIRIE	State or Foreign Country MINNESOTA	Country of Citizenship USA
Post Office Address	Post Office Address 6903 ROS EMILY LANE	City EDEN PRAIRIE	State & Zip Code/Country MINNESOTA 55344/USA

1. ☒ Enclosed is the application; including the specification, claims, drawings, a signed oath or declaration from the prior application. The continuing application is as follows: 11 pages of specification, 12 claims, 1 page of abstract, 6 sheets of formal drawings, and 4 pages of oath or declaration.

- ☒ The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

2. ☒ The filing fee is calculated below:

CLAIMS AS FILED

NUMBER FILED	NUMBER EXTRA		RATE	FEE
TOTAL CLAIMS: 12 -20	0	x	\$9.00	0.00
INDEPENDENT CLAIMS 1 -3	0	x	\$43.00	0.00
			BASIC FILING FEE:	\$385.00
			TOTAL FILING FEE:	385.00

- ☒ Small entity status is claimed pursuant to 37 CFR 1.27.

3. ☒ Payment of fees:
☒ Attached is a check in the amount of 385.00
☐ Please charge Deposit Account No. 13-2725.
4. ☒ The Commissioner is hereby authorized to charge any additional fees as set forth in 37 CFR §§ 1.16 to 1.18 which may be required by this paper or credit any overpayment to Account No. 13-2725.
5. ☐ A set of formal drawings (sheets) is enclosed.
6. ☐ Priority of application Serial No. , filed on in , is claimed under 35 U.S.C. 119.
☐ The certified copy has been filed in prior application Serial No. , filed .
7. ☒ The prior application is assigned of record to Restore Medical, Inc. located at St. Paul, Minnesota, Recorded at Reel 013706, Frame 0220 and Reel 011037, Frame 0901.
8. ☒ The Power of Attorney in the prior application is to:

Merchant & Gould P.C.
Minneapolis, MN 55402-2215
9. ☐ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)
☐ Fee for excess claims is attached.
10. ☐ A petition and fee has been filed to extend the term in the prior application until . A copy of the petition for extension of time in the prior application is attached.


11. ☐ The inventor(s) in this application are less than those named in the prior application and it is requested that the following inventors identified above for the prior application be deleted:
12. ☐ A Nonpublication Request under 37 CFR 1.213(a) is enclosed.
13. ☐ Also Enclosed:
14. ☒ Address all future communications to the **Attention of Karen A. Fitzsimmons** (may only be completed by attorney or agent of record) at the address below.
15. ☒ A return postcard is enclosed.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
612.332.5300



Date: April 14, 2004


Karen A. Fitzsimmons
Reg. No. 50,470
KFitzsimmons:PLSklg